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Seventieth session
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Agenda item 72 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Letter dated 2 October 2015 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the non-paper "Republic of Belarus and human rights" (see annex).

I would appreciate if you would kindly circulate the present letter and its annex as a document of the seventieth session of the General Assembly under agenda item 72 (c).

(*Signed*) Andrei **Dapkiunas**

15-17140 (E) 071015 081015

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Annex to the letter dated 2 October 2015 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

[Original: Russian]

The Republic of Belarus and human rights

Belarus and national human rights policy

In Belarus, human rights and freedoms, and guarantees for their enjoyment, are enshrined in the Constitution. These have been declared supreme values and objectives of society and the State.

The loss of one third of our population, the destruction of almost all our infrastructure during the Second World War and the aftermath of the Chernobyl nuclear power plant disaster, when almost one quarter of the territory of Belarus was contaminated by radioactivity, have led our State to understand that the most fundamental human right is the right to live in peace and security.

In today's challenging geopolitical environment, Belarus is a haven of calm and order, and continues to act in the interests of regional security. This has been made possible by having strong State authority and effective socially oriented public policies.

As a result, Belarus is a member of the group of countries with a high level of human development. Almost all of the Millennium Development Goals have been attained, with five ahead of schedule: the Goals to eradicate poverty, to promote gender equality, and to improve maternal and child health, as well as the Goal on education.

Belarus welcomes the new United Nations post-2015 development agenda and will endeavour to achieve the Sustainable Development Goals adopted by the leaders of member States at the United Nations Sustainable Development Summit 2015.

Belarus has worked continuously to improve legislative and law enforcement practices for the benefit of the Belarusian people, including by tapping into the potential of civil society.

While the current mechanism in Belarus for public engagement on human rights might not be ideal, on the whole it is effective and serves its intended purpose. Belarus will continue to work towards its improvement.

Human rights approaches in Belarus

Belarus has always abided by internationally recognized approaches to the protection and promotion of human rights: civil and political rights and economic, social and cultural rights are indivisible, interrelated, interdependent and complementary. Each category of human rights and freedoms should be approached on an equal footing and given the same emphasis.

Belarus is opposed to the exploitation of human rights and the imposition by some countries of dubious democratic models while hiding behind the language of major international human rights instruments.

Belarus has publicly stated on many occasions that it is unacceptable to politicize human rights or to use this issue as means of putting pressure on sovereign States.

Human rights cooperation between Belarus, the European Union and the United States of America

The European Union has recently been engaged in the unjustifiable use of international organizations' capacities in order to radicalize the human rights situation in Belarus for political purposes.

In this regard, the United Nations Human Rights Council, at the initiative of the European Union, established the mandate of the Special Rapporteur on the situation of human rights in Belarus.

Belarus has publicly declared on several occasions that this mandate has no prospect of succeeding because it is political in nature and has called upon the European Union to make use of mutually respectful and equitable dialogue without conditions, pressure or blackmail.

While Belarus lays no claim to perfection, it rejects European Union allegations that it has breached its international human rights commitments.

In a spirit of good will, Belarus resumed a dialogue on human rights with the European Union in order to demonstrate the openness and consistency of its actions. The first round was held in July 2015 in Brussels, Belgium.

Various human rights issues were discussed during the course of the dialogue. The outcome of the dialogue demonstrated the commitment of Belarus and the European Union to deepening relations, including in the field of human rights.

In this context, Belarus looks forward to subsequent confidence-building measures and to further cooperation with the European Union.

A similar dialogue took place in May 2015 in Washington D.C., United States.

Belarus and the universal periodic review

Belarus believes that the universal periodic review of the United Nations Human Rights Council is the only international mechanism that allows for an objective and reliable assessment of the human rights situation in each and every country.

As shown by the outcome of the universal periodic review, there are no ideal countries in the world.

In this connection, Belarus deems it unacceptable to replace the universal periodic review with a practice involving selective country resolutions based on double standards, in violation of the principles of universality and objectivity.

Belarus successfully completed the second cycle of the universal periodic review in May 2015, during which it submitted a national report on the most important human rights measures adopted over the past five years in order to implement the recommendations of the review's first cycle.

The report was prepared in partnership with civil society over four rounds of national consultations, which for the first time took place in Belarus. The

consultations were attended by various non-governmental organizations, including ones that do not agree with approaches taken by the Government.

Following the second cycle of the review, Belarus received 259 recommendations, 115 of which it adopted immediately.

The thirtieth session of the Human Rights Council in September 2015 adopted the report of the Working Group on the universal periodic review for Belarus. Belarus has thus made a voluntary commitment to implement 158 recommendations: six of these have been partially implemented and Belarus has taken note of another 101, owing to either their irrelevance or an inability to meet the deadline for periodic reporting on the universal periodic review due to a lack of resources or expertise.

Belarus takes the universal periodic review seriously and stands ready to cooperate constructively under this mechanism with all interested parties.

Belarus and the Office of the United Nations High Commissioner for Human Rights; cooperation with human rights mechanisms

Belarus endeavours to cooperate constructively with the Office of the United Nations High Commissioner for Human Rights (OHCHR). On the margins of the United Nations Sustainable Development Summit in September 2015, a meeting was held between President Alexander Lukashenko of the Republic of Belarus and Zeid Ra'ad Al-Hussein, the United Nations High Commissioner for Human Rights.

With the support of OHCHR, a number of thematic events on various human rights issues were held in Minsk with Government agencies and representatives of Belarusian public associations. One landmark activity in this regard was an international conference to examine how national human rights institutions are established and operate. The conference resulted in an international technical assistance project to study the advantages of establishing a national institution for the promotion and protection of human rights in Belarus. This project will be implemented through the United Nations/United Nations Development Programme Office in Belarus and the Council of Europe, with the involvement of international and national experts.

Belarus has expanded the list of invitations extended to thematic special procedures of the Human Rights Council. Belarus is open to cooperate with all human rights mechanisms that assist States in fulfilling their human rights obligations.

Belarus has also significantly increased its cooperation with the international human rights treaty bodies, and enhanced its international commitments by signing the Convention on the Rights of Persons with Disabilities in New York in September 2015.

Work is currently under way with the Human Rights Committee to prepare a national report with a simplified procedure, based on the list of issues to be submitted to the Committee in 2016/17. Once it has done so, the backlog in periodic reporting by Belarus to the treaty bodies will be eliminated.

United Nations A/C.3/70/3

General Assembly

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7 October 2015

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Seventieth session
Third Committee
Agenda item 29 (a)
Advancement of women

Letter dated 2 October 2015 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a summary of the World Assembly for Women, held in Tokyo on 28 and 29 August 2015 (see annex).

This year, the World Assembly for Women gathered about 150 leading figures in the field of women's issues, especially in gender equality and women's empowerment, from Japan and around the world, with 41 countries and eight international organizations represented.

Among the participants were five senior officials of the United Nations, namely, the Administrator of the United Nations Development Programme, Helen Clark, the Under-Secretary-General/Executive Director of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), Phumzile Mlambo-Ngcuka, the Director General of the United Nations Educational, Scientific and Cultural Organization, Irina Bokova, the Special Representative of the Secretary-General on Sexual Violence in Conflict, Zainab Hawa Bangura, and the Special Representative of the Secretary-General for Disaster Risk Reduction, Margareta Wahlström.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 29 (a).

(*Signed*) Motohide **Yoshikawa**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Japan to the United Nations

15-17313 (E) 091015

Please recycle

Annex to the letter dated 2 October 2015 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

Summary by the Chair on the basis of the proposals and ideas of participants in the World Assembly for Women, Tokyo 2015

Work-life management and engaging men in reforms

Change long working hours

Concrete proposals

- Review existing laws and frameworks in order to identify current obstacles and potential solutions for the future.
- Work to implement measures, introduce new systems and collect relevant evidence so that both men and women can understand that work-life management is a major part of economic growth and that long working hours have many disadvantages for both societies and companies.
- Central Governments, local governments and the public sector should work together to promote working-style reforms, while simultaneously supporting women's education and career development in order to realize the reformation of men's perceptions at home and at work.
- Implement merit-based pay systems, clarify job descriptions for each person and clarify companies' operating process reforms that lead to improved productivity, new business creation and innovation.

Leaders introduce change and expand the network for women's empowerment

Concrete proposals

- Leaders create the mentalities and cultures in their organizations. Leaders shall actively promote mentality change in their organizations.
- Acknowledge that the commitment of executives is important to promoting women's empowerment.
- Male leaders who have already been involved in promoting the active participation of women shall assemble, share best practices, expand their networks and continue their ongoing communication.

Promote education to develop abilities

Concrete proposals

- Promote education that develops each child's ability so that they are not limited by stereotypes from primary education.
- Teach the importance of men and women supporting the family and society together.
- Popularize the mentality that it is "cool" for both men and women to participate in raising children.

Design new and flexible working styles utilizing information and communications technology

Concrete proposals

- Design the working environment to consider generational differences in values regarding work-life balance.
- Reform the culture by promoting working styles that utilize information and communications technology that can remove restrictions on work location.
- In order to increase men's participation in this movement, call attention to the fact that, apart from being important in and of itself, women's empowerment leads to higher productivity in society and has a strong influence on the economy.
- Gain additional perspectives to find new working styles by actively sharing examples and information between regions and countries, rather than relying solely on local information.

Implement diversity in organizations leading to innovation

Concrete proposals

- Emphasize that this movement is not just about promoting women's empowerment; it will also provide organizations with a chance to innovate.
- Continue efforts to minimize the gender wage gap by overcoming the gender gap in promotion rates, reducing the number of women who leave permanent positions during child-raising years and removing the gendered division of labour.
- Companies shall strive to realize working environments in which a diversity of members can actively participate, understanding that these efforts lead to business solutions. Central and local governments shall encourage these movements.

Further support for women entrepreneurs across Asia

Concrete proposals

- Create curricula in educational institutions to develop entrepreneurship, fostering the mentality that, if there are no positions that one would like to pursue, one can create a job by oneself.
- Create an environment in which women can undertake new challenges without being overly cautious or hesitant to take risks owing to considerations of work-life balance.
- Support women entrepreneurs by fostering a culture that respects people who challenge themselves even after failing.

Women who are facing challenges

Promote the active utilization and enhancement of support systems

Concrete proposals

- Create a society to thoughtfully support single mothers and women who are facing maternity harassment and actively endeavour to solve the issues facing them.
- Create a mechanism by which women who are facing challenges can consistently receive the necessary services related to raising children and/or working.
- Utilize social networking sites and encourage women to raise and share their issues.

Reinforce actions to support single mothers

Concrete proposals

- Reinforce and maintain an environment in which single mothers can apply their abilities and continuously participate in the labour market without living in poverty.
- Recognize that the development of childcare infrastructure and welfare systems, such as childcare allowances, plays an important role. Prevent future generations from inheriting the current challenges faced by mothers by promoting one-stop support services, providing job assistance, such as introducing role models, and creating working environments that make raising children easier, such as by providing children's rooms in offices and allowing women to come to the office with children.

Girls and education

Enable all girls to complete equal and high-quality education at the primary and secondary levels

Concrete proposals

- Work to enable all girls to complete primary and secondary education, recognizing that there are social customs, such as child marriage, early pregnancy and childbearing, child labour, prejudice and violence, that prevent girls' access to equal and high-quality education.
- Improve the school environment, such as by constructing schools within a reasonable distance from where children reside, ensuring safe roads and building toilets for girls, so that girls can feel safe going to school.
- Develop and utilize highly professional female teachers.

Public and private sectors should enhance necessary resources

Concrete proposals

- Governments and other sectors, including private and international organizations, the United Nations and non-governmental organizations, and families shall collaborate in order to accelerate the improvement of educational quality and environment.
- Expand scholarship programmes for students, including girls and women of high scholastic standing.

Overcome social images and increase the number of female students in the natural sciences

Concrete proposals

- Enhance mentorship programmes and support female students in the natural sciences in primary and secondary educational institutions.
- Realize the economic independence of women by increasing the number of female students in the natural sciences in higher education.
- Overcome negative social images that suggest that the natural sciences are just for men or that girls are weak in those areas.
- Promote networking among women who are active in the natural sciences.

Peacebuilding and women

Promote the active participation of women in peacebuilding processes

Concrete proposals

- Enhance quantitative and qualitative data collection and the use of such data relating to women's participation in peacebuilding processes.
- Promote women's proactive participation in peacekeeping activities, conflict prevention activities and activities related to maintaining order.
- Create action plans and provide guidelines based on Security Council resolution 1325 (2000).

Promote the participation of women in the countries and regions concerned

Concrete proposals

- Acknowledge the contribution of women who understand the needs of their areas the most and promote their participation in the peacebuilding and recovery processes of their countries and regions.
- Publicize local-level information to the Government and the world.

Enhance the restoration of women's rights and women's empowerment in recovery processes

Concrete proposals

- Post-conflict economic recovery is important. Implement measures appropriate to the local situation by utilizing regional women's organizations and non-governmental organizations.
- The private sector shall collaborate to activate the regional economy and inspire entrepreneurship.

Mobilize women's leadership in disaster risk reduction

Concrete proposals

- Improve the environment to allow for men and women of diverse generations to participate in order to mobilize women's leadership in every decision-making process about disaster risk reduction.
- Men and women shall brainstorm together to consider concrete measures for implementing in the field.
- Consider the whole disaster cycle, from prevention to recovery, from the viewpoint of both men and women of diverse backgrounds and from different regions.
- Introduce the broad interests of a diversity of people, including youth, into disaster risk reduction activities and work to apply their abilities.

Multi-stakeholder partnerships for international cooperation

Build plans, budgets and data that respect women

Concrete proposals

- Promote collective actions involving academic institutions, non-governmental organizations and philanthropic bodies that exceed companies' existing activities, such as activities in cooperation with the United Nations Global Compact and the Centre for Social Research.
- Women's leadership, especially at the regional level, is the key to the success of multi-stakeholder partnerships. Each stakeholder, both the receiver and the provider of assistance, shall study, discuss and cooperate equally.
- Create rules for international cooperation among multi-stakeholder partnerships.
- Actively use technology, such as mobile banking and cell phones.

Empower women through adequate sanitation

Concrete proposals

- Widely acknowledge that there are 2.5 billion people who do not have easy access to hygienic sanitation facilities and that 1 billion people are still practising open defecation on a daily basis.

- Overcome issues related to the lack of sanitation facilities, such as women facing increased levels of sexual violence and girls facing barriers to educational opportunities owing to a lack of girls' sanitation facilities at school, as well as other sanitation problems, such as the spread of infection.
- Support activities for improving sanitation in developing countries. For example, there has been success in increasing girls' attendance at primary schools by installing sanitation facilities for girls.
- Share, across borders, knowledge on the role that sanitation facilities play in leading to women's safety, empowerment and improvement of quality of life.

What youth can do to realize the society that they envisage

Promote open discussion and take actions based on one's own values

Concrete proposals

- Take actions based on one's own values without succumbing to social pressure to conform or being limited by stereotypes.
- Through open discussion and youth collaboration, break down stereotypes to create environments in which diversity is accepted and societies in which one can keep striving without fear of failure.
- Create environments in which more people have access to information and to other people, and increase opportunities for youth to communicate their viewpoints and ideas.

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General Assembly

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Seventieth session
Third Committee
Agenda item 72 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Letter dated 19 October 2015 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a memorandum on the promotion and protection of human rights in the Republic of the Union of Myanmar (see annex).

I should be most grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 72 (c).

(*Signed*) Kyaw **Tin**
Permanent Representative

15-18146 (E) 231015

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Annex to the letter dated 19 October 2015 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

Memorandum on the promotion and protection of human rights in Myanmar

I. Introduction

1. Myanmar's democratic transition was brought about in a peaceful way at a time of turmoil in many other such transitions. Myanmar is moving forward on its path of democratic transition. Its far-reaching reforms have passed many significant benchmarks in a brief period, including by promoting democratic values, greater freedom of assembly and association, freedom of the media and national reconciliation and the peace process. Dramatic positive changes have been made to its political and economic landscape and elevated its international relations to a higher plane. Despite certain complex remaining challenges, it is undisputable that there has been huge incremental progress towards democratization and the promotion of human rights.

2. Myanmar has now reached a critical stage in its democratic transition, as the country is preparing, with firm commitment, to hold free, fair and transparent general elections on 8 November 2015 as scheduled. On the eve of the elections, the Government's peace efforts have achieved yet another significant step forward through the signing of the Nationwide Ceasefire Agreement with eight major ethnic armed groups on 15 October 2015, which was witnessed by international observers. This will lead the country to embark on a new path in the political dialogue to end the six-decade-long conflict.

3. Myanmar is now at the centre of the world's attention. The present memorandum will promote further understanding of its efforts to promote human rights and address those remaining challenges.

II. Human rights situation in Myanmar

4. The democratic transition over the past years has already brought about substantial human rights improvements for the people of Myanmar and holds the potential to bring about much more. As part of its democratic reforms, the Government has conducted an extensive review of its existing laws, which led to the enactment of new laws by the parliament guaranteeing human rights and political freedoms, the release of political prisoners and bold steps granting greater media freedom. The Government has also joined a number of international instruments related to human rights, including the International Covenant on Economic, Social and Cultural Rights.

III. Legal framework and new legislative widening of freedoms and rights

5. Myanmar's parliament has debated a variety of issues with regard to strengthening the country's legal and constitutional framework over the years. The State Constitution of Myanmar guarantees the fundamental rights of all citizens regardless of gender, race, faith, official position, status or wealth. As a pluralistic society with traditional values, Myanmar has a long history of peaceful coexistence among different communities, refraining from discriminatory practices based on race, religion, colour or gender.

6. Since Myanmar embarked on its democratic transformation in 2011, the political, civil, economic, social and cultural rights of the people of Myanmar have been further strengthened by the enactment and amendment of various laws. From 2011 to the present, 185 laws have been enacted or amended. Among them, the following new laws have greatly contributed to a better enjoyment of fundamental freedoms and human rights for the people of Myanmar:

(a) Labour Organization Law, 2011;

(b) Peaceful Gathering and Peace Procession Law, 2011;

(c) Labour Dispute Settlement Law, 2012;

(d) Social Security Law, 2012;

(e) Minimum Wage Law, 2013;

(f) Law on the Contempt of Courts;

(g) Law Amending the Anti-Corruption Law, 2013;

(h) Law on the Promotion and Protection of Farmers' Rights, 2013;

(i) Early Childhood Development Law, 2014;

(j) Media Law, 2014;

(k) Printing and Publishing Law, 2014;

(l) Myanmar National Human Rights Commission Law, 2014;

(m) Law on the Application of Writs, 2014;

(n) Law Repealing the Whipping Act 1909, 2014;

(o) Law on the Registration of Organizations, 2014;

(p) Broadcasting Law, 2015;

(q) Law on the Rights of Persons with Disabilities, 2015;

(r) Law on Protecting the Rights of National Races, 2015.

IV. Ratification of international human rights treaties

7. One of the priorities of the Government in terms of raising its international profile is reviewing its status of participation in international conventions, including the human rights instruments. This resulted in Myanmar's accession to the

Convention on the Rights of Persons with Disabilities in December 2011 and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in January 2012. Myanmar also signed the International Covenant on Economic, Social and Cultural Rights on 16 July 2015 and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 28 September 2015.

V. Myanmar National Human Rights Commission

8. One of the significant institutional developments in the area of promoting human rights has been the establishment of the Myanmar National Human Rights Commission in September 2011, six months after the President, Thein Sein, took office. The Commission is the fifth of its kind in the Association of Southeast Asian Nations (ASEAN) region. To enable the Commission to operate on a statutory basis and in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights, the Myanmar National Human Rights Commission Law was enacted in March 2014. Accordingly, the Commission is constituted of 11 members, with its main function being to receive and address complaints from the public. In 2014 alone, the Commission conducted six field investigation visits and presented its findings and recommendations to the President. Public statements and reports are also issued occasionally. The Commission has submitted an application for accreditation to the International Coordinating Committee of National Human Rights Institutions.

VI. Freedom of expression

9. Freedom of expression and the media is one of the most visible areas of political reform in Myanmar. Since August 2012, all publications have been exempted from pre-publishing censorship. The publication of private daily newspapers has mushroomed since April 2013. Currently, there are 14 private dailies in the country. A total of 19 foreign news agencies have opened offices in Myanmar.

10. The Media Law was enacted in March 2014 and allows investigative journalists to report on facts and information that citizens need to know and to reflect the opinions and voices of the people. The law guarantees the protection of journalists from arbitrary arrest.

11. In Myanmar, no restriction is imposed on the use of the Internet. People in Myanmar are now increasingly using social media. The freedom to openly discuss and debate politics, one of the most important indicators of a modern democratic society, is growing, as citizens are expressing their opinions freely through the news media and social networks.

12. The Interim Press Council plays a mediation role. Some cases have been transferred to the courts because of the lack of cooperation by some media organizations with the Council. There were some cases of individuals being sentenced in 2014. It was not because of their reporting, but because of their violation of laws such as trespassing into restricted areas. The majority of the cases related to journalists and media personnel are the result of personal conflicts.

13. The challenges facing today's media in Myanmar include striking a balance between rights and responsibilities, together with ethical reporting and professionalism. The Government, in cooperation with international organizations, is conducting programmes, training and dialogue to strengthen awareness of media ethics.

VII. Freedom of peaceful assembly

14. Early waves of reform in Myanmar led to the adoption of the Peaceful Gathering and Procession Law, which entered into force in July 2012. Since then, people have been able to organize peaceful demonstrations and exercise their right to freedom of peaceful assembly. The police force facilitates protests and demonstrations to ensure law and order and to maintain public peace and security. The European Union and the Office of the United Nations High Commissioner for Human Rights have conducted training courses and workshops to enhance the capacity and awareness of the police force with regard to relevant laws and crowd control.

15. Challenges remain in terms of promoting public awareness of responsibilities and civic education. However, Myanmar is optimistic that the balance between rights and responsibility will be enhanced, since the maturity of society in exercising its rights is growing day by day.

VIII. Freedom of peaceful association

16. Myanmar is a community with strong civil society organizations. A deeply rooted mindset of helping, sharing and caring for one another underpins today's resilient society. The World Giving Index 2014, published by the Charities Aid Foundation, ranked Myanmar in first place for its strong culture of charity. Myanmar's civil society traditionally plays an important role in helping those in need in society.

17. Against this backdrop, Myanmar acknowledges and encourages the role of civil society and non-governmental organizations. The Law on the Registration of Organizations, which requires only voluntary registration, was enacted in 2014. More than 750 non-governmental organizations and civil society organizations are functioning across the country, along with 120 international non-governmental organizations. Another major development contributing to the democratization process is the granting of increased space for civil society in Myanmar.

IX. Freedom of religion

18. Myanmar is a multi-ethnic and multi-faith country, with a long history of different faiths living in harmony. Section 34 of the State Constitution clearly stipulates that "every citizen is equally entitled to freedom of conscience and the right to freely profess and practice religion subject to public order, morality or health and to the other provisions of this Constitution". Section 361 stipulates that "the Union recognizes the special position of Buddhism as the faith professed by the great majority of the citizens of the Union". Section 362 stipulates that "the Union

also recognizes Christianity, Islam, Hinduism and Animism as the religions existing in the Union at the day of the coming into operation of this Constitution".

19. Freedom of religion in Myanmar is guaranteed both in law and in practice. Although Buddhism is the faith professed by the great majority, it is not prescribed as the State religion. The two previous Constitutions also safeguard religious freedom. This constitutional right is already in practice, with Buddhist pagodas, Christian churches, Muslim mosques and Hindu temples seen side by side throughout the country, illustrating the religious harmony and tolerance that prevails in society. Everyone who has visited Myanmar has been amazed by the difference between what they had heard previously and what they saw, and praised this harmony.

20. The prevalence of religious buildings of different faiths across the country is a testimony to its religious harmony. For every 740 Buddhists, 450 Christians, 680 Muslims and 460 Hindus, there is one monastery, one church, one mosque or one temple, respectively.

21. To promote a culture of peaceful coexistence, the Interfaith Friendship Group was set up in Myanmar. It is nationwide in scale and comprises representatives of all faiths. The Group is composed of 122 organizations at the central, state or region, district and township levels. These interfaith organizations hold monthly meetings and convey messages of peace and harmony to the public. They have also paid visits to religious sites and provided assistance to the needy as necessary. Various civil society organizations, community leaders and volunteers are also playing their part in building bridges between different communities.

X. Promotion and protection of vulnerable groups

A. Older persons

22. In Myanmar, a family that includes older persons is regarded as blessed. The International Day of Older Persons is observed in October every year at the national, state and division levels. A plan of action for older persons was adopted in June 2014 to better protect older persons and promote their well-being. The negotiating process to draft a law relating to enhancing the welfare of older persons is ongoing. To mark the sixty-seventh Independence Day of Myanmar, in January 2015, 569 persons of 100 years of age and above were each provided with 200,000 kyats. Since then, the programme has been replicated for a total of 1,179 older persons of 100 years of age or more. The programme will further extend to provide cash assistance to older persons of between 90 and 100 years of age. As at 30 June 2015, there were 23,879 older persons between 90 and 100 years of age in Myanmar.

B. Persons with disabilities

23. Promoting and protecting the rights of persons with disabilities is also one of the priorities of Myanmar. Myanmar acceded to the Convention on the Rights of Persons with Disabilities in December 2011. It was the very first international human rights treaty joined by Myanmar after the current government took office. Myanmar enacted the Right of Persons with Disabilities Law on 5 June 2015, after rounds of consultations with persons with disabilities. A national strategic plan on improving the quality of life for persons with disabilities is currently being developed in accordance with the principles of the third decade of persons with

disabilities in Asia and the Pacific (2012-2022), namely the Incheon Strategy to "Make the Right Real" for Persons with Disabilities in Asia and the Pacific. To enjoy social protection benefits, a flagship programme for persons with disabilities was incorporated into the Myanmar National Social Protection Strategic Plan (2014). To support sustained development for children with disabilities, an action plan is being implemented under the Myanmar Early Childhood Care and Development Policy (2014). To ensure the equal participation of this group with others in society, Myanmar is also drafting an action plan on disability registration and certification.

C. Women's rights

24. Since the inception of the civilization of Myanmar 2,000 years ago, there have been historical records supporting the fact that Myanmar woman and men enjoy equal rights. Myanmar traditions and customs, *dhammathat*, or customary law, religious beliefs and practices have all along safeguarded the equality of Myanmar women with men in such crucial areas as marriage and inheritance. Today, Myanmar has a growing number of women holding important positions as ministers at the state and regional levels, deputy ministers, ambassadors, senior officials and parliamentarians.

25. Since Myanmar acceded to the Convention on the Elimination of All Forms of Discrimination against Women in July 1997, it has taken a series of steps in line with the Convention. Institutions have been put into place to oversee the issue of women. A 10-year national strategic plan for the advancement of women (2013-2023) is under implementation.

26. The country submitted its combined fourth and fifth periodic report (CEDAW/C/MMR/4-5) to the Committee on the Elimination of Discrimination against Women in 2015. The drafting of a law to combat violence against women in cooperation with the United Nations has reached its final stage. Myanmar also signed the Declaration of Commitment to End Sexual Violence in Conflict on 5 June 2014.

D. Child rights

27. Myanmar acceded to the Convention on the Rights of the Child in 1991. The provisions of the Convention are incorporated into the Child Law, enacted in 1993. Myanmar acceded to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in January 2012. After thorough consultations, Myanmar signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 28 September 2015, on the sidelines of the general debate of the General Assembly at its seventieth session.

28. Currently, a review on the Child Law is being conducted, with wide participation by civil society organizations and the United Nations Children's Fund. Discussions are under way on including a chapter in the Law to protect children in situations of armed conflict.

29. Myanmar signed a joint action plan with the United Nations on 12 June 2012 to further accelerate its efforts in preventing underage recruitment. The United Nations Country Task Force on Monitoring and Reporting conducted visits to recruitment centres, training schools and regional commands, including 37 monitoring visits to different Tatmadaw (military forces) battalions. The Tatmadaw has

discharged 645 underage recruits. A total of 56 officers and 283 persons of other ranks were held accountable for underage recruitment. The Tatmadaw is a professional army, and recruitment is voluntary.

30. At the invitation of the Government, the Special Representative of the Secretary-General for Children and Armed Conflict, Leila Zerrougui, visited Myanmar from 12 to 16 July 2015. The visit was instrumental in closing the gaps leading to zero-underage-recruitment endeavours jointly implemented by the Government and the United Nations Country Task Force. In view of these developments, it is hoped that Tatmadaw Kyi will be delisted in the near future.

31. Every child has to be physically, mentally, socially and psychologically healthy. To this end, early childhood care and development services have been provided in Myanmar since 1953. Myanmar enacted the Law Relating to Early Childhood Care and Development in February 2014. The Central Early Childhood Care and Development Resource Centre was set up in Yangon in 2011. Myanmar adopted a multisectoral policy in 2014 for the all-around development of children under 8 years of age. In Myanmar, infant mortality and the under-5 mortality rate have been reduced by half.

32. A national school enrolment campaign was introduced in 1999. As a result, the enrolment of 5-year-old children reached 98 per cent in 2014. The last week of May is designated as enrolment week, when education personnel, non-governmental organizations, civil society organizations and well-wishers from education, business and the local community collaborate to ensure that all school-age children are in school.

E. Workers' rights

33. Myanmar's wide-ranging reforms have benefited hundreds of thousands of Myanmar workers at home and abroad. Soon after the current Government took office, the Labour Organization Law was drafted and enacted in 2011, resulting in the establishment of 1,800 basic workers' and employers' organizations, 7 workers' federations and 1 employer's federation.

34. The Settlement of Labour Dispute Law was enacted in 2012. Accordingly, 325 township conciliation bodies, 15 region/state arbitration bodies and an Arbitration Council were formed. The bodies are composed of representatives of the Government, workers and employers. To date, 271 labour disputes have been settled by region and state arbitration bodies, and 143 cases by the Arbitration Council.

35. To accelerate the efforts to eliminate forced labour by 2015, a joint strategy has been implemented successfully in cooperation with the International Labour Organization (ILO).

36. The Minimum Wage Law was enacted in 2013. The tripartite consultations among workers, employers and the Government reached an agreement in setting the minimum wage at 3,600 kyats in 2015. To better promote and protect the rights of workers, the Social Security Law 2012, the Employment and Skill Development Law 2012 and the Law Amending on Holidays and Leave Act 1951 were also enacted. Currently, bills on foreign workers and the occupational safety and health are being drafted.

37. Furthermore, Myanmar ratified the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), which entered into force in December 2014. The Myanmar Programme on the Elimination of Child Labour is being implemented with the technical assistance of ILO.

XI. Economic development

38. Economic sector reform has proved successful. Myanmar maintains average growth rate of 8 per cent over a four-year period. The main driver of growth is the service sector, owing to Myanmar's expansion in telecommunications and transportation. In fiscal year 2014/15, agricultural output was increased, while manufacturing and industry outputs were also strong. Myanmar is aiming at graduating from the status of least developed country at an early date. It will be feasible, if it can maintain this average annual growth rate over the coming years. The framework for economic and social reforms launched in 2013 for sustainable economic growth and poverty reduction is a solid platform for its ambition. The International Monetary Fund evaluation is that the economic prospects of Myanmar remain strong.

XII. Universal periodic review

39. As a matter of principle, Myanmar has always opposed country-specific resolutions in the Human Rights Council and the General Assembly. Myanmar believes that such resolutions cannot create an atmosphere conducive to genuine dialogue between the country concerned and the international community on human rights questions.

40. Myanmar believes that the universal periodic review is the most dependable mechanism to address all situations of human rights on an equal footing. Myanmar will be submitting its universal periodic review report for the second cycle early in November 2015. Non-governmental organizations, international non-governmental organizations and United Nations entities in Myanmar were consulted at different stages in the report drafting process. A high-level delegation led by the Union's Attorney General will be in Geneva to interact with the Human Rights Council and its affiliates on the report.

XIII. Bilateral human rights dialogues

41. Since 2012, Myanmar has been conducting bilateral human rights dialogues with Japan, the United States and the European Union. Such engagements are the best venues in which to exchange views, discuss challenges and learn national best practices between the dialogue partners.

XIV. Cooperation with the United Nations

42. The cooperation of Myanmar with the United Nations is exemplary. In 2015, the Special Adviser to the Secretary-General on Myanmar, Vijay Nambiar, made shuttle visits to Myanmar. The Special Rapporteur on the situation of human rights

in Myanmar, Yanghee Lee, visited the country twice. Myanmar is the only country under agenda item 4 of the Human Rights Council that invites the Special Rapporteur to the country. The Special Representative of the Secretary-General on Children and Armed Conflict also visited Myanmar in July 2015. These visits reflect Myanmar's genuine political will for cooperation with the United Nations.

43. Myanmar allows the presence of officers from the Office of the United Nations High Commissioner for Human Rights in the country on a full-time basis. They interact with government authorities, civil society organizations and the general public in various fields relating to the promotion and protection of human rights. Law-making bodies and enforcement agencies in Myanmar receive inputs, views, technical advice and training from these officers and other visiting experts. As part of the global programme of the Office, the police force has been conducting workshops and trainings to raise awareness of human rights.

XV. Other developments

A. Wider political space

44. A firm foundation has been laid for an all-inclusive political process. Amnesty has been granted on several occasions with the aim of enabling former prisoners to take part in Myanmar's reform process and nation building. Formerly divided political forces are now working hand in hand for a peaceful and prosperous Myanmar. Some are involved in the legislative process as parliamentarians, while others are playing their part as researchers, civil society actors, media personnel or human rights and labour rights activists.

B. Peace process

45. Myanmar believes that without national reconciliation and peace it cannot succeed in the democratization process. The Government has successfully concluded 39 agreements with 15 armed groups in a four-year period. Achieving a nationwide ceasefire agreement is an essential component of the national reconciliation process. Therefore, the Government has worked relentlessly to achieve a single ceasefire agreement with all armed groups in the country.

46. Despite certain complex challenges, the Government's sincere and serious efforts resulted in the signing of the Nationwide Ceasefire Agreement between the Government and eight major ethnic armed groups on 15 October 2015. The signing of the Agreement was yet another historic milestone for Myanmar. The signing ceremony was witnessed by 21 eminent persons of Myanmar together with international observers, including special representatives from India, Japan, China, Thailand and the European Union and Mr. Vijay Nambiar, Special Adviser to the Secretary-General on Myanmar.

47. After securing the historic achievement of the Nationwide Ceasefire Agreement, discussions will continue on a framework for political dialogue. The parties who signed the Agreement started working on the framework for the political dialogue. To implement the Agreement, a joint monitoring committee and a union peace dialogue joint committee were subsequently established and are functioning. Political dialogues will follow the completion of the framework. It will open the way to bringing sustainable peace and harmony to the country.

C. Developments in Rakhine State

48. Myanmar fully shares the concern of the international community about the communal violence that broke out over three years ago, sparked by a brutal crime. That tragic incident took place at an early stage of the rapid democratic transition. The clashes had caused loss of lives and displacement to both communities. In fact, it was unfortunate that the incident happened between two communities that had a long history of peaceful coexistence. On any account, it was not an issue targeted against a particular religion or race, as misleadingly portrayed by the media. The distrust between the two communities also had some roots in illegal cross-border migration. Regarding the issue of citizenship, those who meet the criteria set out in the 1982 Myanmar Citizenship Law have been granted citizenship upon application. There is, however, no reason or justification for a certain group of people to claim to be the one ethnic national race, simply because that has never existed in the history of the country. This is the crux of the issue concerning the communal tension in Rakhine State.

Prevalence of peace and stability since 2012

49. The situation in Rakhine is a multifaceted, sensitive and complicated issue. One needs to understand the complicated history of the two communities to make a fair and objective critique of the situation. Since it is complex, the communal tension cannot be resolved overnight. However, it is important to note that there have been no further recurrences of intercommunal violence since 2012. Peace and stability have been restored in Rakhine State.

50. The Government is making every effort to provide security, food and health-care services on a daily basis to the people living in temporary shelters through the establishment of a relief coordinating centre. Humanitarian access is given to more than 20 international organizations. Any assistance provided for both communities is welcomed. Yet the living conditions of displaced persons in the relief camps are widely reported as poor and unsatisfactory. There are also many other poor Rakhine families living in equally shabby situations, as it is the second poorest State in Myanmar. Generally speaking, the situation in Rakhine State has to do with poverty and underdevelopment. It is not about putting the lives of the displaced persons in a difficult situation. Inclusive development and better education will be the key to resolving the problem in the long term.

51. To address the root cause of underdevelopment in Rakhine State, the Government has initiated development projects and industrial zones, including the Ponnagyun industrial zone, Yathaetaung agricultural and livestock zone, Comprehensive Kaladan River Transportation Project, ancient Mrauk-U cultural zone and hotel zone projects. The projects will create job opportunities for people from both communities. Moreover, the Government has recently managed to provide electricity across Rakhine State, enabling the development of small and medium-sized industries. Only stability and development can bring the two communities together in harmony.

Gradual and incremental relocation and reintegration

52. Reintegration is also one of the keys to addressing the situation in Rakhine State. The State's government has therefore started resettlement efforts for those in relief camps, along with development projects. The resettlement programme is

going smoothly through close consultations and cooperation with local communities. The resettlement is funded by the Special Fund of the President. A total of 2,000 of the 5,000 households to be resettled in the first phase have been resettled to their place of origin or new places in 2015. This will gradually lead to the closure of all camps for displaced persons.

53. In this process, the Government has also sought international assistance. The Office of the United Nations High Commissioner for Refugees and the Turkish Cooperation and Coordination Agency also rendered support to and cooperated with the Rakhine State government in the construction of new houses. New schools funded by the Governments of India and Indonesia are already in operation for both communities in Rakhine State. The Governments of China and Thailand and the European Union are also among those providing various forms of assistance in these efforts.

Restoring harmony

54. In Buthidaung and Maungdaw townships, the two communities are now engaging in intercommunal trade and business. Their children are attending school together. There is no restriction of movement in those areas in which the communities have learned to live in harmony. The continued presence of the security forces in some areas is only at the request of the communities themselves. Freedom of movement is not restricted there anymore, but some choose not to move around only owing to fears for their security. The Government is making every effort to ensure normal livelihoods and to enhance a sense of security for the present and the future.

Citizenship verification

55. In 2014, a nationality verification pilot project was launched in Myebon township and resulted in citizenship being granted to more than 900 persons. The new arrangement for replacing temporary identity cards (white cards) with national verification cards has further facilitated and moved forward the nationality verification process. Whoever wishes to become a citizen of Myanmar may apply in accordance with the procedure. The delays in the verification process are due to a lack of cooperation on the part of temporary identity card holders stemming from their fear of scrutiny or external pressure. There is no difficulty in granting citizenship to those who meet the criteria of the 1982 Citizenship Law.

Harmony among societies

56. Despite the events in Rakhine State three years ago, Myanmar is a multi-ethnic and multi-faith country with a long history of different faiths living in harmony in the same neighbourhoods. Myanmar shares the concerns regarding the growing intolerance in many parts of the world. To counter hate speech, both the Government and civil society are encouraging interfaith dialogues across the country.

57. The Interfaith Friendship Group in Myanmar was set up on a nationwide scale and comprises representatives of all faiths. The Group comprises 122 organizations at the central, state and region, district and township levels. These interfaith organizations hold monthly meetings and convey messages of peace and harmony to the public. They have also paid visits to religious sites and provide assistance to the needy as necessary. Various civil society organizations, community leaders and

volunteers are also playing their part in building bridges between different communities.

XVI. Boat people

58. Myanmar is deeply concerned about the suffering and life-threatening risks faced by boat people as a consequence of smuggling and trafficking in persons in the region. In this time of crisis for boat people, saving lives is the first priority. Myanmar therefore stands ready to rescue and provide humanitarian assistance to anyone who has suffered at sea. Myanmar has publicly presented its humanitarian views since the beginning of the phenomenon, and concrete actions were taken.

59. In this spirit, Myanmar joined the rescue efforts when the boat people crisis began, in May 2015. The Navy rescued the first boat, carrying 208 passengers, on 21 May 2015. Among them, 200 persons were checked and found to be nationals of a neighbouring country. With the friendly cooperation of the country of origin, Myanmar has repatriated 191 persons, which accounts for 95 per cent of the boat people saved from the first boat.

60. In the wake of the crisis, Myanmar sent a delegation to a special meeting on irregular migration in the Indian Ocean, organized by Thailand on 29 May 2015. The Myanmar delegation highlighted, among others, the need to enhance regional cooperation on combating smuggling and trafficking in persons and to facilitate safe labour migration. The delegation also highlighted misinformation about the figures and numbers reported by some agencies, which were far from the truth and unverifiable. Myanmar will continue to work closely with its immediate neighbours and fellow ASEAN member States in the context of the ASEAN Ministerial Meeting on Transnational Crime.

61. On 29 May 2015, Myanmar rescued another boat, which was carrying 734 people. The verification process revealed again that 546 persons were citizens from the neighbouring country. That number accounts for 74 per cent of those rescued. Among them, 468 persons have been repatriated to the country of origin.

62. Again early in July, Myanmar rescued 107 persons from an island called Saung Gauk, situated in the southern part of the country. It was determined that all of them were economic migrants from a neighbouring country. The most recent repatriation effort returned 72 persons from that group to their country of origin on 12 October 2015.

63. Myanmar has been providing shelter, food and the necessary health-care assistance to the remaining rescued persons while seeking continued friendly cooperation from the Government of the country concerned. Thus far, Myanmar has repatriated over 700 people to the country of origin after the completion by that country of the verification process.

64. The number of boat people rescued in Myanmar clearly testifies to the fact that the majority of them are not originating from Myanmar and seeking international protection. Most of the boat people, including a few from Myanmar, are economic migrants who are seeking greener pastures or persons who have fallen prey to traffickers. The experiences recounted by the victims who have been rescued have revealed heinous crimes committed by trafficking rings. The root cause of the boat

people crisis in the Andaman Sea is none other than the problem of trafficking and smuggling of persons in the region.

65. In anticipation of sailing season in the region, Myanmar, for its part, has taken preventive measures, including the exchange of intelligence information with its immediate neighbours, legal action against local and transnational traffickers and extensive awareness campaigns in the areas most at risk.

XVII. Four laws

66. The race and religion protection bills, also frequently referred to as the Four Bills, have been passed by parliament, after being subjected to intense scrutiny in parliament. During the drafting process, the text was widely published, and the comments and views of all parts of society were duly considered and incorporated. The legislative bodies carefully crafted the language of the laws, taking very careful consideration of the obligations of Myanmar under international instruments.

67. Regarding the law related to religious conversion, there are no restrictions imposed on those who wish to convert from their religion to another, and the registration of such a conversion is voluntary. There is no penalty for those who do not wish to register. The purpose of the bill is only to prevent forced conversions, and it penalizes those who force someone to convert his/her against his or her will. Article 18 of the International Covenant on Civil and Political Rights states that no one shall be subject to coercion that would impair his freedom to have or to adopt a religion or belief of his choice. There is no provision in the law that impairs one's choice of belief or religion.

68. Regarding the law related to marriage for Buddhist women, in Myanmar, different religious followers adhere to their respective customary marriage laws. This law is a similar case for Buddhists. The purpose of the law on marriage for Buddhist women is again to prevent and penalize forced conversions for the Buddhist women of Myanmar.

69. The law related to monogamy is self-explanatory. The law encourages married couples to practise monogamy. This practice is culturally, morally and socially accepted in the society of Myanmar. It also intends to protect the rights of women.

70. Regarding the law related to population, even if it is enacted, it will be enforced only when an area is identified as a special area in which the law is required to be applied. Again, the application of the law is voluntary. There are no penalties applied under this law. The purpose of the law is to provide the necessary medical assistance and education in connection with reproductive health care in areas in which attention is required.

71. Every country has its unique history and social and cultural roots. These laws came into existence and were passed by the parliament in accordance with the will of the people, who wish to preserve Myanmar's traditional values and cultures and have no intention of engaging in religious discrimination.

XVIII. Recent floods

72. The damage inflicted by the floods and landslides as a result of the torrential monsoon rains in 2015 is more intense and widespread than that inflicted by Cyclone Nargis seven years ago. In 12 states and regions of the country, more than 100 people have lost their lives. A total of over 476,000 houses have been damaged. In excess of 1.6 million people have been displaced, 4,000 schools damaged, and nearly 1.5 million acres of farmland destroyed.

73. The Government and the people of Myanmar, its civil society, friendly countries near and far and the international community are working together to help the affected population. To date, the Government has spent 16 billion kyats for emergency response and early recovery. Clearly, that is not enough to confront such devastation. More resources will be needed for the medium- and long-term recovery phase. A recovery framework, including a recovery plan, will be developed with a view to considering a pledging conference.

XIX. Elections

74. The forthcoming general elections, scheduled to be held on 8 November 2015, constitute an important milestone in the country's road to democracy. Elections will be held for the Amyotha Hluttaw (Upper House), the Pyithu Hluttaw (Lower House) and the state- and region-level houses for the upcoming five-year term. The Government and the people of Myanmar are preparing themselves for a successful holding of these elections.

75. A total of 6,074 candidates, including candidates from 91 political parties and independents, will be participating in the forthcoming elections. This broad participation reflects the trust and confidence in and the inclusiveness of the country's political process. The following are highlights of preparations on capacity-building and for the actual conduct of free, fair and transparent elections in Myanmar.

A. Preparation

76. The President, Thein Sein, has expressed on several occasions his unequivocal commitment to the elections being held in a transparent, free and fair manner. The Commander in Chief has also publicly expressed his readiness to accept the outcome of free and fair elections that reflect the desire of the people and as declared by the Union Election Commission. The Chair of the Commission and other officials are also committed to this approach. Such high-level political commitments are creating an enabling environment for the elections.

77. To build capacity, the Union Election Commission has been cooperating with international partners, including the International Foundation for Electoral Systems, the European Union, the Department of Political Affairs through the United Nations Development Programme country programme, the International Institute for Democracy and Electoral Assistance, the International Republican Institute, the National Democratic Institute for International Affairs, Democracy Reporting International, the United States Agency for International Development, the Australian Agency for International Development, the Asian Network for Free Elections, the United Kingdom Department for International Development and the

Carter Center. The Commission has received assistance from the International Foundation for Electoral Systems in computerizing and updating the voter list.

78. To enhance transparency in the elections, Myanmar has invited international observers. To date, the Union Election Commission has concluded memorandums of understanding with the Carter Center, the European Union and the Asian Network for Free Elections to allow them to observe the elections. A code of conduct for election observers has already been released. About 100 observers from the European Union are beginning to arrive in Myanmar. Myanmar is facilitating a process whereby resident diplomats can observe the elections. Thus far, the embassies of the United States, Ireland, Japan, Bangladesh and the United Kingdom in Yangon have requested to observe the elections in different parts of Myanmar. Those requests are being facilitated.

79. The Carter Center, the European Union and the Asian Network for Free Elections have already sent 50, 120 and 40 persons respectively to observe the election preparations and campaigning, as well as actual conduct and results.

B. Conducive environment for free, fair and transparent elections

80. In fostering a conducive environment, a two-month campaigning process started earlier in September and is currently in full swing, without any major issues or untoward incidents reported. Voters list are already out, and the final touches are being put on a complete list. Both the Government and the Union Election Commission are fully committed to ensuring that the elections are transparent, free and fair. All citizens, including those abroad, will be casting their votes.

81. With regard to the campaigning activities, all participating political parties can use government broadcasting channels on an equal footing. Publications, gatherings, public statements and billboards, among others, are allowed. Political parties can campaign without prior permission at their headquarters and offices. Prior permission is needed only for the use of public places.

82. The candidates can print and freely distribute campaign materials disseminating their political views, policies and activities. At the same time, such activities and publications should be in conformity with existing national laws and respect the rights and freedoms of others. It is advised that the publications not violate existing laws and parties not engage in libel, slander or violence nor use religion for political purposes. With regard to campaign broadcasts, it is required that elements in broadcasts not undermine public security or the rule of law.

83. A legal framework has been put in place to prevent abuse and coercion in the elections. Article 364 of the State Constitution prohibits the abuse of religion for political purposes. Article 58 (c) of the Election Law penalizes those who urge others to vote or not to vote on religious or racial grounds. A code of conduct for political parties was adopted and agreed upon by all political parties. Section 4.3.3 of the code stipulates that an election campaign should not be conducted in a manner that encourages hatred between any religious group, tribe, group, gender, language or community.

C. Qualification of candidates

84. The eligibility criteria for candidates are clearly set out in the Election Law. One of those criteria requires that the candidate and both parents be citizens of

Myanmar. The criteria apply to all candidates, regardless of their political affiliation, race, gender or religion. As in many other countries, the right to take part in national political and decision-making processes is entrusted only to citizens.

85. There is no discrimination against any candidate based on his or her faith. The allegations regarding the disenfranchisement of a candidate on the basis of their religion are unfounded. For example, many Muslim applicants who met the citizenship and other criteria are qualified to run for the elections to the parliament. There is also a process for potential candidates to appeal against rulings on their eligibility status, and those who meet the criteria have already been reinstated by the Union Election Commission.

86. In the past, the Government issued temporary identity cards, known as white cards, to those who had been residing in the country but had yet to be verified as citizens. Since 31 March 2015, those white cards have been replaced by new national verification cards, with a view to facilitating the citizenship application process. The new verification card holders are eligible to apply for citizenship. Since national verification card holders are not yet verified as citizens, they are naturally not eligible to cast their votes in the election, in accordance with the electoral rules.

XX. Conclusion

87. Genuine dialogue and constructive cooperation in human rights is possible only when the principles of universality, objectivity and non-selectivity are fully observed and applied. At the same time, the practice of applying double standards to and politicizing human rights issues should be avoided.

88. The endeavours of Myanmar to achieve a democratic society are genuine, peaceful and moving in the right direction. It is undisputable that significant incremental progress has been made over the past few years. As a multi-ethnic country with many ethnic groups still bearing arms, Myanmar faces many complex challenges. Like other young democracies in transition, Myanmar has yet to overcome those typical challenges. Yet the commitment of the leaders of Myanmar to moving forward remains strong. Myanmar needs the international community's continued encouragement and understanding of the complex challenges that it faces. An objective and constructive engagement with Myanmar by the international community is the key to further accelerating the country's democratic reform process.

89. Despite tremendous progress in Myanmar and its exemplary cooperation with the United Nations through the universal periodic review and country-specific mandates, Myanmar continues to be unfairly placed under scrutiny by numerous mechanisms, including the General Assembly, the Human Rights Council, the Special Rapporteur on the situation of human rights in Myanmar, the good offices of the Secretary-General and the Partnership Group on Myanmar. The United Nations unfairly focuses a disproportionate amount of its attention today on Myanmar. Even some countries with far worse human rights records receive less attention than Myanmar.

90. Myanmar stands ready to continue to work together with the United Nations country team and the Secretary-General to further advance peace, development and

democracy without a country-specific resolution or the additional burden of further good offices.

91. As the Secretary-General stated it in his report on the situation of human rights in Myanmar dated 19 August 2015 (A/70/332 and Corr.1), it is time to assess the feasibility of the continuation of the good offices mandate, including a gradual scaling-down of the mandate of the Special Adviser, and to consider other regular modes of engagement with Myanmar, as Myanmar had entered a critical stage of its democratic transition in the post-election period.

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Letter dated 15 October 2015 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a response from the High Council for Human Rights of the Islamic Republic of Iran regarding the report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran (A/70/352) (see annex).

I should be grateful if you would arrange to have the present letter and its annex circulated as a document of the General Assembly, under agenda item 72 (c).

(*Signed*) Gholamali **Khoshroo**
Ambassador
Permanent Representative

15-18203 (E) 271015

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Annex to the letter dated 15 October 2015 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

General response to the report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran

Introduction

The Government of the Islamic Republic of Iran is firmly determined to utilize its potential and capacity to promote and protect all human rights. Iran's commitment to the promotion and protection of human rights is inherent, genuine and deeply rooted in the people's beliefs and values. It is intertwined with the nation's hopes for a brighter, happier and more prosperous future. The Islamic Republic of Iran is firmly committed to the realization of all human rights and providing the appropriate grounds for the realization of a civil society inside the country and around the world based on respect and tolerance. The Islamic Republic of Iran does not claim that the application of all human rights principles within the country is perfect. Obviously, no country can put forward such a claim. However, it is of the utmost dismay that Iran is unjustifiably and unfairly being targeted and the United Nations human rights mechanisms being misused and politicized by a country with an indefensible human rights record.

The Constitution, laws, regulations and development policies of the country have solid provisions for the protections of the rights of all people, men and women, and guarantee equality before the law for all without distinction. All institutions of Government are obliged to create an environment conducive to the material and moral advancement of women by providing all the necessary facilities and arrangements to guarantee the rights of women in all areas of human endeavour.

The report, contained in document A/70/352 and prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Geneva, is based on the politically motivated General Assembly resolution 69/190 that has been introduced by Canada for the past 13 consecutive years. The resolution has not been drafted to promote human rights, which is the main objective of the United Nations human rights mechanisms, rather it is a text that has solely been drafted through the misuse of human rights mechanisms for political purposes. Canada continues to defy the Charter of the United Nations, in particular Article 1 (2), which calls for friendly relations among nations based on respect for the principle of equal rights of all peoples.

In paragraph 3 of the report's introduction, hasty judgement has replaced the general flow of the report, thus eroding any opportunity for objective evaluation and analysis in the remainder of the introduction. In this situation, the introduction has effectively dictated the final conclusion, which is not in keeping with the reasonable and logical structure of a balanced and objective report. More specifically, the report overlooks issues such as the serious negative impacts of illegal and inhumane sanctions imposed on the enjoyment of human rights by Iranian citizens, progress achieved on women's rights, the fight against armed narcotic drug traffickers and serious associated crimes, the wide range of positive activities regarding journalists and public media, the scope of civil society space and the activities of non-governmental organizations (NGOs) in Iran, and, above all, it fails to appreciate

the outstanding achievements of Iran in social, cultural and economic rights and the ensuing improvement of its Human Development Index ranking. The negligence of the report towards cultural and religious questions resulted in the failure of the report to accurately reflect the real situation of human rights in Iran.

Regrettably, in many instances, the report has either not identified sources or incorporated information received from biased sources. In some paragraphs, the report alluded to legislation that is at the initial level of codification and not yet finalized, having no executive guarantee. On such a basis, the report has arrived at a false interpretation and conclusions which should be modified.

As stated in paragraph 4 of the report, the Islamic Republic of Iran continued to engage constructively with the United Nations treaty bodies, and the Government also engaged substantively with the universal periodic review (UPR) for its second cycle review. It has also invited the Special Rapporteur on the right to food to visit the country. These engagements are parts of endeavours by Iran in line with its will and serious planning for the constant promotion of human rights, acknowledged by the Secretary-General.

It is incumbent upon the Secretary-General to denounce and disapprove of the harmful effects of illegal and inhumane sanctions that have affected the human rights of most Iranian citizens and reflect on that in the final report.

Although the Islamic Republic of Iran had only a few days to respond to the report, detailed comments are prepared for each paragraph of the report, with the expectation that the drafter would adequately address these matters in the final report.

The Islamic Republic of Iran attentively considered recommendations submitted to it during the second cycle of the UPR from legal, political, economic, cultural and structural perspectives, while involving all related parties. In consultation and cooperation with related governmental institutions and members of civil society, the process of the implementation of accepted recommendations has already been initiated in Iran.

Overview of the human rights situation in the Islamic Republic of Iran

Paragraphs 6 to 9

The principled position of the Islamic Republic of Iran on the death penalty has repeatedly been declared and will be dealt with in the ensuing paragraphs.

The geographical location of the Islamic Republic of Iran as a neighbour of the world's biggest producer of illicit opium has given planning for the fight against international armed drug traffickers a strategic importance. Iran has taken effective measures to curtail the flow of drugs and, in doing so, has paid a heavy price in blood and treasure. To date, more than 4,000 law enforcement officers have lost their lives in the line of duty while an additional 12,000 have been permanently disabled. Each year, hundreds of millions of dollars are spent, including the expenditure of $700 million to secure its eastern borders, to combat trafficking and transit networks, as well as for the prevention, treatment and rehabilitation of addicts. According to the United Nations Office on Drugs and Crime (UNODC), globally, more than 80 per cent of narcotics seizures are made by the Islamic Republic of Iran. As numerous UNODC reports confirm and as stated by the

Executive Director of UNODC and the Deputy Director General of the United Nations, the Islamic Republic of Iran is now the standard-bearer of the global fight against narcotics.

In certain instances, due to the refusal of other States to responsibly cooperate, authorities have had to deal with the abduction of police officers by terrorists connected to drug traffickers. In addition, there is no doubt that in our surrounding region, extremism, terrorism, organized crime and drug trafficking work hand in hand. Given the gravity of the situation, it is necessary for all relevant countries and international organizations to seriously and responsibly work together.

According to the laws and regulations of the Islamic Republic of Iran, capital punishment is limited to the most serious crimes, which include the extensive trafficking of narcotics. Such crimes, often combined with murder and acts of terrorism, are very carefully considered by court proceedings in which the representative of the prosecutor, the accused and his or her lawyer must be present. Death sentences that are handed down in accordance with the Drug Control Law of 1997 must be endorsed by the Chief Justice of the Supreme Court and the Prosecutor General. Thus, the margin of error has been minimized, for if any of the above officials deem the sentence in violation of sharia or legal parameters, they have the authority to ask for a review or to quash the sentence.

Contrary to the claims made in paragraphs 7 and 8 of the report, international figures show that efforts made by Iran and the resoluteness of the judiciary and law enforcement in combating drug trafficking have intensely controlled and contained such crimes. The prohibition of serious punishments, including the execution of drug producers and traffickers (after the entrance of western forces) in Iran's eastern borders, in the past 14 years, has led to a 333 per cent increase in drug production, from 1,800 tons in 2001 to 6,000 tons in 2014. It has also led to the upsurge of inhumane drug-related felonies.

Iran has repeatedly declared its readiness to engage in regional and international efforts to uproot the production and trafficking of narcotics. In this respect, UNODC has repeatedly commended Iran's measures in combating narcotic drugs and has implemented several country programmes. New country programmes for the period 2015-2019 are being finalized. In these programmes, no effective alternative for the death penalty has been introduced. Furthermore, to explain its position in combating narcotics and to access the best possible experiences, the Islamic Republic of Iran has put the subject on the agenda of bilateral human rights dialogues and cooperation with other countries. This includes the submission of a comprehensive plan for regional cooperation, including multidimensional cooperation on cultural, economic and technical issues, with some European countries, where, despite lengthy negotiations, some parties have shown no seriousness in this regard. In addition, in the last meeting with the Special Rapporteur, Iran proposed dialogue and cooperation on this subject to be included in the next meeting with him.

Paragraph 10

Concerning recommendations contained in the report of the Secretary-General on the issue of ratifying the United Nations Convention against Transnational Organized Crime and strengthening anti-money-laundering laws, it should be noted that the Islamic Republic of Iran is already a party to the United Nations Convention

against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and is also a party to the United Nations Convention against Corruption of 2003, and it is profoundly committed to these Conventions. Furthermore, accession to the United Nations Convention against Transnational Organized Crime is being considered, was approved by the Government and submitted as a bill to the Parliament for ratification.

On the issue of money-laundering, efforts are under way in Iran to overcome the difficulties hindering the implementation of the anti-money-laundering law. In 2007, by adopting an anti-money-laundering law, the Islamic Republic of Iran established a high council against money-laundering that has the task of monitoring the monetary transactions of banks, financial institutions and charity organizations to prevent money-laundering. This council also submits yearly reports in this regard. Furthermore, by ratifying the bill on combating the financing of terrorism, on 22 July 2015, the Parliament has made significant efforts in combating the financing of terrorism and money-laundering, and this new development should be noted.

Paragraphs 11 and 12

Most capital punishment cases are reported by the national media — even those that have not been executed. Therefore, the implementation of punishment in prison must not be considered as punishment in secret. Furthermore, all information on the implementation of punishment is provided to the condemned individual's lawyer and immediate family.

Paragraphs 13 and 15

On the allegations relating to the death sentence for offenders under the age of 18, Iran exercises a high degree of flexibility with respect to offenders under 18 due to humanitarian considerations. They are tried in special courts and, in the light of their age and other circumstances, minimum sentences are issued for them. According to article 89 of the Penal Code, for crimes that do not receive capital punishment, offenders between the ages of 15 and 18 receive lenient sentences. They are normally sent to correctional institutions or sentenced to pay pecuniary penalties. In addition, in the cases of most serious crimes, the mental maturity of the accused at the time of committing the crime should be proven before the court.

The policy of the Islamic Republic of Iran in dealing with cases of intentional homicide relating to offenders that have reached the age of maturity but are under the age of 18 is to encourage reconciliation, even by providing financial aid to offenders to enable them to pay *diah* (blood money). The judiciary has now established a working group to help prevent the punishments that take the life of offenders. The working group is affiliated with the Tehran Province prosecutor general executive committee on the protection of children and adolescent rights. The goal of the commission is to promote reconciliation and prevent the implementation of *qesas* (retribution in-kind) sentences. The allegation of the executions, in 2014, of 13 juveniles under the age of 18 is false. Having examined the list sent by OHCHR, the relevant government authority declared that Mr. Janatmir does not have a criminal record with the Department of Justice of Esfahan Province and that Ahmad Rahimi, Hadi Veysi, Osman Dahmarde and Mohsen Sarani were over the age of 18 when they perpetrated their crimes.

Paragraph 15

Saman Naseem has been tried by the second branch chamber of the Criminal Court of the Department of Justice of West Azerbaijan Province on charges of taking part in armed terrorist attacks against military forces that caused the death and injury of a number of military personnel. The trial was held in the presence of five judges, after hearing defence arguments by him and his lawyer and all legal remedies were exhausted.

Paragraph 17

The Islamic Republic of Iran accepted more than 65 per cent of the recommendations it received during its second UPR cycle and also accepted 10 recommendations on freedom of expression to show its serious will for the advancement of the right to freedom of expression and engagement with other countries in this domain. Furthermore, according to the existing statistics, thousands of journalists and webloggers with various opinions and political inclinations are active in Iran.

Paragraph 18

Information in this paragraph concerning Iran's press law is untrue because instances of delinquent activities have been established in the law, and courts pay close attention to these activities to consider cases of violations of the law. On the other hand, legal potentials and political tolerance of the country have led to the fact that many press journalists and webloggers are freely active in Iran and disseminate information, express opinions and criticize the affairs of the country. Therefore, the claim for broad interpretation and arbitrary application of the press law is unfounded.

Paragraph 19

The submission of the inaccurate statistical rankings of countries on the issue of freedom of expression and spreading unreliable information on the number of detained journalists and possible prisoners is absolutely counterproductive. While many journalists in other countries in the region are under the risk of death and their freedom of expression is under threat and widespread restrictions, the exaggeration of cases that violate the laws in Iran is not acceptable.

Paragraph 20

According to the Department of Justice of Tehran Province, the mentioned persons were detained in July 2014 on charges of espionage. With regard to the nature of the charges and to prevent collusion, Mr. Rezaian, with the order of the judge in charge, on the basis of article 32 of the Criminal Procedure Law, was held for 45 days in one-person unit wards and afterwards transferred to the public suite. Ever since his detention, up to the completion of the investigation, his judicial dossier was under the close consideration of the judge, and, by his order, the duration of the detention of Mr. Rezaian was extended once every two months. Finally, in July 2015, the bill of indictment was issued, therefore the claim about his long and arbitrary detention is baseless. In addition, he met with his family during the investigation phase and benefited from health and welfare facilities, such as

shopping from stores outside the prison. It should be noted that Yeganeh Salehi (Mr. Rezaian's spouse) was released on bail in October 2014.

After the completion of the investigation, the first trial of these persons was conducted in the presence of their defence lawyer in June 2015 and, considering the nature of his charges and according to article 188 of Criminal Procedure Law, the hearing was held behind closed doors. This law is in line with article 14 (1) of the International Covenant on Civil and Political Rights. As stated in the bill of indictment, Mr. Rezaian and his wife were arrested on charges of espionage and their illegal activities had no connection to their profession as journalists.

Paragraphs 23 and 24

Expansion of the Internet in Iran during the past 24 years has been outstanding. The Internet is now available to 46 million users and the .ir domain has more than 500,000 cases, which is unique in our region. The Ministry of Communications and Information Technology, in keeping with article 46 of the law on the fifth development plan, is developing a national information network in order to provide all citizens with high-speed and safe Internet access. Unfortunately, the launching of this network is delayed because of illegal sanctions against our country. Nevertheless, the Ministry is trying to make the best use of national capability and resources to achieve this goal, which is included in the sixth development plan. Claims concerning closure of WhatsApp, Line, Skype and Tango are unfounded, and Iranian users have adequate access to these sites.

Paragraphs 25 and 26

President Rouhani's Government adopted new policies for the opening of cultural and social space in the country. The Government has the intention of opening all social networks.

The Prosecutor General, in line with article 22 of the Computer Crimes Act and considering cybercrimes, including immoral issues, selling narcotics, terrorism training, extremism and inciting ethnic and religious hatred, has ordered the blocking of certain sites.

The claim concerning the recognizing and detaining of online social or political activists through using smart Internet is false and unfounded. It is natural that among more than 46 million Internet users, there could be some violators of the law that should be dealt with according to the laws, as is the case in other societies.

Blocking and smart filtering of YouTube, Facebook and Twitter has taken place for reasons such as abuse of children, terrorism, extremism and violence, violation of the privacy of people and disrespect for national laws and regulations. Therefore, claims contained in paragraphs 23-25 are untrue.

Paragraph 29

From its very inception, the Islamic Republic of Iran has paid special attention to the advancement of women and promotion of their rights, as well as their status, in order to promote and protect the rights of women. Iran accepted 42 of the recommendations it received during its second UPR cycle.

Combating violence against women at the levels of prevention, protection, rehabilitation and reintegration is a priority of the country. Significant activities have taken place in this domain to which references were made in Iran's previous reports, in particular in Iran's national UPR. As a measure in combating domestic violence, article 1,130 of the Civil Code allows women to file for divorce in cases of assault and battery or any form of mistreatment.

Paragraphs 30 and 31

Iranian society is protective of family rights. Fabricated and untrue statistics contained in the report are refuted and are far from the reality of Iranian society. The Statistical Centre of Iran is the right place to access relevant, accurate data and statistics.

According to the laws of the Islamic Republic of Iran, infliction of any kind of injury on another person entails criminal liability, and domestic violence is no exception. Nevertheless, due to the importance that the Government attaches to the empowerment of women, a special bill on the safety of women has been drafted. The bill defines in legal terms all types of violence, including domestic violence and its instances, and provides for proportionate punitive measures. This bill is presently going through its ratification process.

Paragraph 32

In the Iranian Civil Code, necessary protection for the prevention of domestic violence, in particular the physical and spiritual health of wives, has been envisaged. According to article 1,119, a wife can obtain a divorce by stipulating any condition to the marriage which is not incompatible with the nature of the contract of marriage, such as ill-treatment by the husband. Moreover, in article 1,130, any action which causes difficult and undesirable conditions gives the wife the right to request a divorce. On verbal violence and the violation of dignity, article 608 of the Penal Code is applicable. The claim in the report of the necessity of "two adult male witnesses to the assault" is false and should be stricken from the report. Considering the above, it is evident that Iranian laws are not silent vis-à-vis domestic violence.

The issue of marital rape was not considered by many countries and cultures. Even those countries which criminalized this issue are not implementing it due to difficulties in proving the crime. In the laws of Iran, marriage is a mutual contract, forced marriage is cancelled by the law and such marriages are subject to both civil and criminal liabilities (articles 1 and 3 of the Civil Liability Law and article 3 of the Law of Marriage). As the possibility of divorce exists in cases of reluctance or hatred, the issue of marital rape has no place between couples.

Contrary to the claim contained in paragraph 31, there are various mechanisms in Iran to protect women affected by domestic violence, some of which are referred to in the following:

- The establishment of intervention and rehabilitation offices and the drafting of a plan called intervention in individual, family and social crisis (centre for social emergency, 137 centres in the country)
- Establishing a telephone hotline for social emergency (123) aiming at controlling and reducing social harms

- The provision of mobile social emergency services to empower those exposed to social harm
- The establishment of 24 rehabilitation centres for women and girls in vulnerable situations in the country
- The provision of specialized social assistance, job training, education facilities, art training and life skills training are among the services which are provided in rehabilitation centres

Paragraph 33

The bill on comprehensive population and exaltation of family has not yet been ratified.

Paragraph 35

The connection between the unfortunate incidents of acid attacks and the promotion of virtue has never been proven. The occurrence of this evil phenomenon this past year, which even targeted women with *hijab*, is indicative of the lack of connection between the two issues. Of course, these incidents have been investigated and controlled.

Paragraphs 36 to 38

According to the Statistical Centre of Iran, the average age of marriage for men was 24.1 in 1977, which increased to 26.7 in 2011, and for women increased from 19.7 to 23.4 during the same period. In the past, such marriages could be conducted without any kind of legal monitoring, therefore, the Iranian law subjected these marriages to the provisions of article 1,041 of the Civil Code which states that marriage before the age of majority is prohibited. The judiciary monitors such marriages with the utmost seriousness. Such monitoring is carried out in accordance with the Penal Code (2006), the provisions of article 1,041 of the Civil Code and article 50 of the Family Protection Law (2012). In addition, according to article 56 of the latter law, a marriage registrar who registers a marriage overlooking the provision of article 1,041 of the Civil Code would be deprived (fourth degree) from his or her job, in accordance with the Penal Code. Article 45 of the law stipulates that observing the best interests of children and adolescents in all decisions of the courts and executive officials is obligatory. Normally, courts do not vote for the requested early marriages, bearing in mind the best interest of the child.

Unfortunately, in paragraph 36, false statistics have been included which further undermine the credibility of the report.

Paragraphs 41 to 44

The existing statistics indicate that the rate of economic participation of women in the marketplace of Iran has increased in recent years. This rate increased from 9.1 per cent in 1999 to 13.8 per cent in 2012. Currently, about 17 per cent of all persons with an occupation are female. In addition, the rate of participation of men and women shows that, in 1999, the rate of participation of men was almost 6 times greater than that of women. This rate lowered in recent years to 4.5, which is indicative of progress. To implement laws and programmes relating to women and the family, the following are on the agenda of the Government:

- The further empowerment of women to promote their occupation status
- Special laws for female recruitment in labour markets
- Assisting civil society institutions in support of women
- Supporting women production cooperatives, in particular in agriculture and handicraft sections
- Rendering special support and assistance to female-headed households

Paragraph 43

To increase the participation of women in decision-making positions, the following programmes are under consideration and implementation:

- Raising awareness among women on the importance of their rights to political participation through public training and media
- Increasing programmes for the empowerment of women who are in managerial positions
- Allocating a certain quota for women in the parliament, increasing the number of women in political parties for parliamentary elections, increasing executive management training courses for women and increasing financial resources and the provision of opportunity for women to attend elections

Currently a number of women are at the highest political positions in Iran; there are three women with the position of vice-president. Women are also members of parliament, mayors, governors of provinces, advisors to ministers and directors general.

Paragraph 44

As mentioned in reply to paragraph 32, there should not be prejudgements concerning bills and acts which have not finished their legal procedures for adoption, since, in the process of adoption, different modifications and views are raised so that the proposed bill may include different provisions. Moreover, the aim of the proposed family bill with the current content is encouragement towards marriage and childbearing, which exists in the laws of many other countries as well.

Paragraphs 45 and 46

The bill mentioned in this paragraph has not been adopted yet and therefore cannot be referred to. Furthermore, phrases such as "expressing concern about restrictions on women's rights" are a hasty interpretation. The following paragraphs which disapprove claims contained in paragraphs 45 and 46 should receive due attention.

Premarital education, which more than 90 per cent of couples attend, pays particular attention to the social, mental, spiritual and physical health of newlywed couples.

Despite the claim in paragraph 45, in the budget of fiscal year 2014-2015, billions of rials were allocated to implement the population policies of the country under the general budget of the Ministry of Health. In the budget, the subprogrammes that have been planned are: promotion of family, health benchmark,

actions and executive packages on population policies of the country, infertility treatment and programme for food and nutrition security.

Paragraph 47

The principle of freedom of association and the rights to organize and collective bargaining have been recognized in the Constitution and the Labour Law of the Islamic Republic of Iran. The formalization and realization of freedom of association and the right to collective bargaining is mentioned in the Constitution, in paragraphs 26, 104 and 106, and in the Labour Law, in articles 131, 140-146 and 178.

The Islamic Republic of Iran, as one of the members of the International Labour Organization, made efforts to implement the rules and regulations of international labour conventions. The Islamic Republic of Iran has joined five of the eight fundamental international labour conventions of the International Labour Organization and is considering accession to other labour conventions, such as the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), and the Right to Organize and Collective Bargaining Convention, 1949 (No. 98), of the International Labour Organization.

The Government strictly stipulates that despite the lack of accession to the above-mentioned conventions, it has always taken measures to implement international obligations contained in fundamental labour conventions in collaboration with its social partners.

Paragraph 48

Based on article 131 of the Labour Law, if workers are not inclined to become a member of their associated labour organization, they are able to join other labour organizations in the city or province. Workers' or employers' organizations are not required to obtain permits. With the guidance of experts at the Ministry of Cooperatives, Labour and Social Welfare, however, the establishment of the organization can be registered. To date, 9,576 organizations are registered, of which 8,849 are currently active. A total of 1,396 organizations were registered during 2013, and 1,558 organizations were registered within the first year of the new Government, during 2012-2013. These statistics show that the concerns reflected in paragraph 47 lack objective evidence. Notwithstanding all the measures undertaken by the Government in coordination with social partners to reform the Labour Law, this matter is still under consideration in Parliament.

Paragraph 49

The Government began issuing management regulations and organizing trade union protests to implement principles 26 and 27 of the Constitution. The Government has also started to safeguard the security of union protests, leading to a regulations framework and to safeguarding trade union rights. The Government also submitted this regulation to the International Labour Organization.

The current Government is also engaging with different groups, such as the groups mentioned by the Committee, in order to create national unity, and positive results have emerged from this process to this point. For example, currently seven teacher trade associations are active in the country and one representative of the

associations was introduced to the Ministry of Education and was appointed as the minister's advisor in trade association affairs. Claims regarding mentioned individuals and associations in this paragraph are clarified and explained by submitting information to the International Labour Organization and related authorities.

Paragraph 50

Union protests in the Islamic Republic of Iran are recognized. The Islamic Republic of Iran made all efforts to eliminate the outstanding issues regarding wage arrears by accession to the Protection of Wages Convention, 1949 (No. 95), of the International Labour Organization. The following includes some of the main measures taken by the Government to solve the problem of wage arrears.

One of the most important legal and executive measures of the Government to eliminate the wage arrears issue is to allocate funds to pay salaries and arrear wages of manufacturing units that are in financial crisis by donations referred to as "social support" in the annual budget of the Ministry of Cooperatives, Labour and Social Welfare.

Paragraph 51

The Islamic Republic of Iran is a party to the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Employment Policy Convention, 1964 (No. 122), of the International Labour Organization. In 2014, board members from the aforementioned organization visited Iran regarding the implementation of Convention No. 111, at the request of the international board of directors, and, in the report, the programmes and efforts of Iran in this field are recognized and acknowledged. Over the past years, reports were also submitted to the standards committee of the International Labour Organization regarding the implementation of those two conventions.

According to the Constitution, especially the introduction and articles 13-15, the salaries of ethnic groups and religious minorities are explicitly stated and recognized. In all different executive periods, this subject has been taken very seriously, and there is no discrimination in practice and in law.

Paragraph 52

In the Islamic Republic of Iran, the right to a fair trial and due process has been emphasized in the Constitution, the Criminal Procedures Code and other laws of the country in all phases, from the time of discovery of an offence, investigation, pretrial, trial and post-trial to the enforcement of rulings by the court. The claim that suspects are often unaware of their charges until they are before the court is untrue. At the beginning of the proceedings, the judge first asks the accused to state his or her identity and other personal information in the process of sending the summons and other related papers. He will also notify the accused to be cautious about his statements and will explain the subject of the accusation and its reasons clearly. If the accused refuses to respond, the refusal will be recorded in the minutes, pursuant to article 129 of the Criminal Procedure Law. It is evident that the claim of the report including "detention without charges" is false, not to mention the fact that no source is provided.

The claim on "lack of access to lawyers" is also not true, since the accused person can have access to lawyers at every stage of proceedings until the end of the trial and the appeal stage, pursuant to articles 128, 185, 239 and 273 of the Criminal Procedure Law. The claims of summary hearing and heavy sentences are devoid of validity due to lack of evidence and source of the claims.

Paragraph 53

Allegations concerning the use of torture in the Islamic Republic of Iran are categorically rejected. Article 38 of the Constitution and other laws, especially the Law on Citizens' Rights, forbid all forms of torture. Use of torture by any official of the Government would bring about serious consequences, and the offender would be dealt with to the fullest extent of the law, as was the case in the Kahrizak dossier. The claim that prosecutors extract confessions under torture is also rejected, especially as no source has been mentioned in this regard. On the case referred to in the report, Reyhaneh Jabbari indicated her prior intention to murder the victim, thereby proving false her claim of forced rape. Her confession was not the basis for the final verdict against her, and the judges made the decision on the basis of the evidence and documents contained in the dossier. All legal proceedings and investigations were completed in accordance with penal procedures. The court issued its verdict on the basis of the indictment, the content of the dossier, hearing the arguments made by the defence lawyer and the accused proving the intentional nature of the murder.

Paragraph 54

Lawyers in Iran enjoy full independence, and any infringement of their code of conduct is dealt with by the Bar Association and the lawyers elected by it. The ordinary laws of Iran relating to the conduct of judges and lawyers ensure their independence in all phases of trial proceedings, from the beginning to the appeal phase. Therefore, the claim regarding government intervention in the affairs of the Bar Association is not correct. The case of Ms. Sotoudeh was investigated by the court with full transparency and observing the principle of a fair trial. Her case was also considered by the Bar Association, which sustained the verdict. However, she was dealt with leniently, as doing so is a policy of the Iranian judicial system, and the remainder of her criminal sentence was commuted. Moreover, it should be once against emphasized that commenting on draft legislation that are simply proposals and have not even been placed on the path to becoming law is inappropriate.

Paragraph 55

The observance of the rights of all individuals, ethnic groups and followers of different religions has always been a steadfast policy in Iran. Various economic and cultural programmes have been implemented in regions inhabited by Iranian ethnic populations to improve their living conditions, welfare and political and social participation. As for religious minorities, in addition to their participation in political decision-making and other legal protection, a considerable amount of funds has been spent to improve their overall situation and the performance of their religious rituals, religious education and renovation of religious sites.

Paragraphs 56 and 57

The situation of Baha'is is similar to that of the rest of the Iranian population. Baha'is are employed in different professions and positions. They own small and large manufacturing units and are active in businesses, having business licences and other facilities. Regarding the claim of 11 businesses in the city of Sari being shut down, the subject was investigated; the reason was a violation on the part of the mentioned union units, since according to the law it is necessary to have a licence from a related union for collective closing, in order to avoid shocks to the small local market.

Baha'is have dedicated cemeteries in different parts of Iran. Concerning the cemetery for Shiraz Baha'is, the location of this cemetery was within the city limits of Shiraz in the new urban development of this city. New burial in this cemetery has been forbidden since 1980 for public health reasons, like many other Muslim and Christian cemeteries. According to note 6 to article 96 of the Municipality Law and article 45 of the Financial Bylaw of Municipalities, public cemeteries are regarded as public property and owned by municipalities. It should be mentioned that change of land use after 30 years is by no means an insult to the dead. This was done in order to meet the new needs of the city and the health of the public. It has nothing to do with a particular belief, and it should be reiterated that a substitute cemetery had previously been designated for the Baha'i community in Shiraz.

Regarding the Baha'i cemetery in Ahvaz, due to their insistence on maintaining the current cemetery and reluctance to move to a new one, it was proposed that, like other cemeteries in the country, they revive their old cemetery and either bury the dead in between old graves or use multi-story graves. In any case, the work of this cemetery has not been barred.

Paragraph 58

Younes Asakerah is an Arabic-speaking citizen from Khorramshahr, not an Ahwazi Arab. He owned a fruit kiosk in Khorramshahr without permission of the municipality and, as the municipality moved to close the kiosk, he set himself on fire and, regrettably, 10 days later he died in hospital. Many local authorities in Khorramshahr, including the mayor, speak Arabic, and the law is applied regardless of the ethnicity of the violator. According to the existing evidence and pictures posted on the Internet, he received the necessary medical treatment, and his death was because of the gravity of the injuries. After his demise, the local authorities and charity NGOs took measures to safeguard the livelihood and housing of his immediate family.

Furthermore, as was mentioned in last year's response, using "Ahwazi Arab" in the report and in footnote number 84 is not in line with the Iranian identity and county's provincial divisions and is only used for separatist intentions.

Paragraph 59

President Rouhani's administration has attached special attention to minorities, and, in line with this, the President has designated a special assistant for ethnic and religious minorities. According to the Constitution, basic rights such as equality before the law, protection of life and property, employment, housing, social security, lawsuits, education, enjoying a fair trial, possessing nationality, participation in the

affairs of the country and other citizenship rights are recognized for all Iranians regardless of their religious affiliation or ethnicity. In article 13 of the Constitution, freedom of religious rituals has been established. Article 19 of the Constitution states that all people of Iran, regardless of their ethnicity, enjoy equal rights. But, like other democracies, citizens have an obligation to respect the laws while enjoying their legitimate rights and freedoms. Accordingly, there is no discrimination against ethnic minorities in Iran and no person is prosecuted for the sole reason of belonging to a particular religion or ethnic group.

Paragraphs 60 to 62

Acceptance or non-acceptance of recommendations which are made in the framework of the UPR mechanism is within the discretion of States. They are free to choose among recommendations on the basis of States' abilities and restrictions. Iran closely follows the developments on international treaties and their monitoring bodies and would consider acceding to such conventions as and if it deems necessary.

In line with its principled position to cooperate with United Nations mechanisms, the Islamic Republic of Iran has full engagement with treaty bodies, including through the submission of its periodic reports to the relevant monitoring bodies. As mentioned in paragraph 60 of the report, Iran submitted its first report under the Convention on the Rights of Persons with Disabilities in December 2013. The next report is being prepared by the relevant organizations and will be submitted to the Convention monitoring body upon its completion.

Paragraphs 63, 64 and 70

Iran considers the appointment of the Special Rapporteur on Iran to be the result of an entirely political and discriminatory resolution which is at odds with the principle of the promotion and protection of human rights. Furthermore, the Special Rapporteur himself has adopted a biased approach in discharging his mandate. Principally, appointing a country-specific rapporteur for a country like Iran, which is committed to its citizens' human rights, is unwarranted, meaningless and absolutely counterproductive. However, in keeping with our intention to cooperate with the United Nations human rights mechanism and motivated by the aim of rectifying the approach of the Special Rapporteur so he may prepare a report based on authentic information, representatives from our missions in Geneva and New York, as well as representatives of the judiciary, members of Parliament and officials of the Iranian High Council for Human Rights, have met with the Special Rapporteur several times. First-hand information on his questions and allegations has been presented to him, and engagement with him will continue.

Furthermore, on 16 March 2015, the Islamic Republic of Iran invited the Special Rapporteur on the right to food to pay an official visit to the country.

Paragraph 64

With regard to the claims contained in paragraph 64, based on article 10 of the Bill on Legitimate Liberties and Preservation of the Rights of Citizenship, every legal person is able to lodge a protest on arbitrary detention or forced disappearance to the Central Supervisory Board for Preserving the Rights of Citizenship. This request will be examined seriously in legal proceedings. Furthermore, the Islamic

Republic of Iran is resolute in responding to all allegations and human rights communications. In line with this, Iran has responded in a detailed and substantiated manner to the communications mentioned in this paragraph.

Paragraph 65

The possibility of cooperation between the Islamic Republic of Iran and OHCHR was discussed in the meeting held between Iranian officials and the United Nations High Commissioner for Human Rights and his Office, and Iran has officially invited the High Commissioner to pay a visit to the country. In addition, Iran's detailed and substantiated response to the concerns on the issues contained in paragraph 65 has already been sent to the Office.

Paragraphs 67 and 68

While welcoming the Secretary-General's comments on Iran's active engagement with the universal periodic review by submitting its national report on the implementation of the recommendations resulting from the first review, Iran's reservations on some recommendations is due to their conflict with Iran's international commitments, moral and social values, the Constitution and domestic laws.

Iran has commenced the process of the implementation of the accepted recommendations of the second UPR cycle with the engagement and cooperation of different ministries and other relevant bodies, including civil society.

Paragraph 69

In the laws of many countries, including the Islamic Republic of Iran, there are certain serious crimes that may result in capital punishment. While there is no global consensus on the abolition of the death penalty, it is only applied to perpetrators of the most serious crimes, including armed drug traffickers who also engage in acts of terrorism.